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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/710,162	11/10/2000	Richard M. Onyon	FUSN 1-01008US0	4588

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EXAMINER
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PATEL, HARESH N

ART UNIT	PAPER NUMBER
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2154

DATE MAILED: 08/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/710,162	<b>Applicant(s)</b> ONYON ET AL.	
	<b>Examiner</b> Haresh Patel	<b>Art Unit</b> 2154	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 August 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4, 6-10, 27-32 and 38 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☐ Claim(s) 1-4, 6-10, 27-32, 38 is/are rejected.
- 7) ☒ Claim(s) 1 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### DETAILED ACTION

1. Claims 1-4, 6-10, 27-32, 38 are subject to examination. Claims 5, 11-26, 33-37 are cancelled.

#### *Response to Arguments*

2. Applicant's arguments with respect to claims 1-4, 6-10, 27-32, 38 have been considered but are moot in view of the new ground(s) of rejection.

#### *Claim Objections*

3. Claim 1 is objected to because of the following informalities:

Claim 1, line 4, should contain --;-- after "coupled to a network".

Appropriate correction is required.

#### *Claim Rejections - 35 USC § 112*

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

4. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 4 recites the limitations, "the private information space". There is insufficient antecedent basis for this limitation in the claim (Please see MPEP 706.03(d)). Note: claim 1 contains, "**personal** information space" and not "**private** information space".

### ***Double Patenting***

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and, *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

Claims 1-3, 8-10 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 2, 4, 5, 7, 8, 10, 14, 15, 23, 25, 28, 32, 34, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 54, 56, 58, 60, 66, 68 and 69 of Multer et al, Fusionone Inc., U.S. Patent No. 6,694,336 (Note: These claims also include the claimed subject matter of the claims to which they respectively depend upon). Although the conflicting claims are not identical, they are not patentably distinct from each other because the patent teaches all the limitations as disclosed such that the interpretation of the claimed subject matter, i.e., transferring data to a network coupled apparatus using information store, the network and the difference information from a prior point in time of the claimed invention of the application under prosecution is similar to a first processing device having device application programs for providing changes to a second processing device by using a data store, difference engine, versioning module, information representing data at a previous time state, change log file,

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universal format data, encryption routine and network interfaces coupled to a network. The claimed subject matter of claims 2, 4, 5, 7, 8, 10, 14, 15, 23, 25, 28, 32, 34, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 54, 56, 58, 60, 66, 68 and 69 of Multer et al, Fusionone Inc., U.S. Patent No. 6,694,336 does not specifically mention about usage of media data and personal information space. However, it is well known in the art; for example, Lipscomb et al., 7,020,704, Zapmedia Inc (Hereafter Lipscomb-Zapmedia) discloses a well-known concept of using media data and personal information space for synchronization (col., 10, lines 5 – 9, 20 – 25, col., 11, lines 20 – 45). With Lipscomb-Zapmedia's teachings it would be obvious to one of ordinary skill in the art to include the concept of using media data and personal information space with the claimed subject matter of claims 2, 4, 5, 7, 8, 10, 14, 15, 23, 25, 28, 32, 34, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 54, 56, 58, 60, 66, 68 and 69 of Multer et al, Fusionone Inc., U.S. Patent No. 6,694,336 because the media data would provide support for representing audio information, video information or image information. The represented media data would be used for synchronization among devices over a network. The personal information space would provide support for storing, retaining and representing information that belong to a specific individual. The represented information belonging to the specific individual would be used for synchronization among devices for the specific user.

### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-3 and 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsai et al., 7,039,656, Yodlee.com Inc., (Hereinafter Tsai-Yodlee) in view of Lipscomb et al., 7,020,704, Zapmedia Inc (Hereafter Lipscomb-Zapmedia).

7. Referring to claim 1, Tsai-Yodlee discloses **a method for transferring data to a network coupled apparatus** (synchronizing data between client and server, col., 3, lines 44 – 54, sending of difference information over the network, col., 4, lines 23 – 26, usage of device connected to the network, col., 4, lines 34 – 36, data-sync process, col., 4, line 65), comprising:

(a) **maintaining a personal information space** (retaining of data sources for serving data that is held for use specific information including bank account information, securities trading information, e-mail, etc, col., 5, lines 53 – 64, support for personal digital assistant, col., 6, lines 26 – 31, personal information located on a network supported by companies like Yahoo, col., 1, lines 50 – 59, col., 14, lines 16 – 19, individual information, col., 7, lines 34 – 41, usage of repository for individual subscriber, col., 8, lines 3 – 9, which is similar to the personal information space of lines 14-18 at page 2 of the specification of the application under prosecution) **identified with a user including data** (user operating PDA for the data, col., 6, lines 32 – 35, user specific information using personal digital assistant, col., 1, lines 56 – 62, col., 12, lines 44 – 48, usage of internet capable appliances by a user, col., 8, lines 31 – 43), **the personal information store being coupled to a network** (the data sources connected to the network, col., 4, lines 23 – 26, col., 4, lines 34 – 36, col., 1, lines 51 - 59),

(b) **obtaining** (data gathering, col., 6, lines 55 – 61) **difference information** (comparing first table referencing data records of the client with second table referencing updates for new

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records, col., 3, lines 47-58, 65-67) **comprising differences** (new records that are not at the client, col., 4, lines 20 – 26, updated table, col., 3, lines 65 – 67, difference in the tables, col., 4, lines 20 – 26) **between a representation of the data** (second table referencing updates for new records not present at the client, col., 3, lines 47-58, 65-67) **and a representation of a copy of the data from a prior point in time** (a copy of the first table referencing data records of the client that that does not contain updates, col., 3, lines 47-58, 65-67, usage of time and date stamping for determining new data records compared to the old data records, col., 3, lines 14 - 19); and

(c) **transferring the difference information** (sending new records that are not at the client, col., 4, lines 20 – 26, sending updated table, col., 3, lines 65 – 67, notification of difference in the tables to the client, col., 4, lines 20 – 26) **from the personal information space** (from data sources serving data, col., 5, lines 53 – 64, from personal information located on a network supported by companies like Yahoo, col., 1, lines 50 – 59, col., 14, lines 16 – 19, col., 7, lines 34 – 41) **to the network coupled apparatus** (client, col., 3, lines 44 – 54, over the network, col., 4, lines 23 – 26, device connected to the network, col., 4, lines 34 – 36, col., 4, line 65) **in response to a user request** (client request, col., 3, line 67 – col., 4, lines 6).

Note: Tsai-Yodlee also discloses usage of integrated services digital network (ISDN) line col., 6, line 10, usage of Internet col., 5, line 41, and usage of WAN, col., 5, line 45.

However, Tsai-Yodlee does not specifically mention about the data being media data.

Lipscomb-Zapmedia discloses a concept of using **media data** (usage of digital media assets col., 12, lines 45 - 61, usage of synchronization of information, sending of updates, users

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virtual account, col., 10, lines 8 – 40, usage of automatic synchronization of the contents, col., 13, lines 2 - 8).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tsai-Yodlee with the teachings of Lipscomb-Zapmedia in order to facilitate usage of the media data because the media data would provide support for representing audio information, video information or image information. The represented media data would be used for synchronization among devices over a network. The synchronized media data would be available for a user accessing a device over the network.

8. Referring to claim 2, Tsai-Yodlee and Lipscomb-Zapmedia disclose the claimed limitations rejected above under claim 1. Tsai-Yodlee also discloses **the step of, prior to step (a), receiving information into the personal information space** (data gathering for a user, col., 6, lines 55 – 56, aggregating data gathered from Internet before being delivered to or being accessed by users, col., 8, lines 9 – 13).

9. Referring to claim 3, Tsai-Yodlee and Lipscomb-Zapmedia disclose the claimed limitations rejected above under claims 1 and 2. Tsai-Yodlee also discloses **receiving data from a first network coupled apparatus** (from Internet servers, col., 7, line 67 – col., 8, line 3), **and said step (c) includes transferring said media data to a second network coupled apparatus.** (individual subscriber, col., 8, lines 4 – 9, client, col., 3, lines 44 – 54).



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10. Referring to claim 7, Tsai-Yodlee and Lipscomb-Zapmedia disclose the claimed limitations rejected above under claim 1. Tsai-Yodlee also discloses **said step (a) comprises providing a storage server having a network connection** (usage of Internet servers, col., 7, line 67 – col., 8, line 3, usage of file servers col., 7, lines 26 – 32, connected to the network, col., 4, lines 23 – 26), **and code on the storage server interacting with the personal information store** (usage of SSL connection, block 73 of figure 4, usage of software and software modules for communication, col., 15, lines 11 – 14).

11. Referring to claim 8, Tsai-Yodlee and Lipscomb-Zapmedia disclose the claimed limitations rejected above under claim 1. Tsai-Yodlee also discloses **providing code on a network-coupled apparatus which receives said difference information** (usage of internet capable appliances, col., 8, lines 31 – 43, software for downloading and/or handling transaction, col., 14, lines 2 – 5) **and stores the difference information on the network-coupled apparatus** (usage of memory of the internet appliance, col., 6, lines 15 – 19, col., 1, lines 44 – 48).

12. Referring to claim 9, Tsai-Yodlee and Lipscomb-Zapmedia disclose the claimed limitations rejected above under claim 1. Tsai-Yodlee also discloses **said step of transferring comprises instantiating code** (invoking of SSL connection, block 73 of figure 4, usage of software and software modules for communication, col., 15, lines 11 – 14) **on a network-coupled server** (at Internet servers, col., 7, line 67 – col., 8, line 3, at file servers col., 7, lines 26 – 32, connected to the network, col., 4, lines 23 – 26) **storing said personal information space** (retaining of data sources for serving data that is held for use specific information including bank

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account information, securities trading information, e-mail, etc, col., 5, lines 53 – 64, personal information located on a network supported by companies like Yahoo, col., 1, lines 50 – 59, col., 14, lines 16 – 19, individual information, col., 7, lines 34 – 41, usage of repository for individual subscriber, col., 8, lines 3 - 9) **to output the difference information to the network-coupled apparatus** (sending new records that are not at the client, col., 4, lines 20 – 26, sending updated table to the client, col., 3, lines 65 – 67, notification of difference in the tables to the client, col., 4, lines 20 – 26).

13. Referring to claim 10, Tsai-Yodlee and Lipscomb-Zapmedia disclose the claimed limitations rejected above under claim 1. Tsai-Yodlee also discloses **said step of transferring comprises instantiating code** (invoking the downloading of information and/or handling transaction, col., 14, lines 2 – 5) **on the network-coupled apparatus** (at internet capable appliances, col., 8, lines 31 – 43) **to retrieve the difference information** (to receive new records that are not at the client, col., 4, lines 20 – 26, receiving updated table, col., 3, lines 65 – 67, receiving notification of difference in the tables at the client, col., 4, lines 20 – 26).

14. Claims 4 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsai-Yodlee in view of Lipscomb-Zapmedia and in further view of Ohlenbusch et al., 2002/0091785 (Hereinafter Ohlenbusch).

15. Referring to claim 38, Tsai-Yodlee and Lipscomb-Zapmedia disclose the claimed limitations rejected above under claim 1. Tsai-Yodlee also discloses that the network coupled apparatus is a computer (usage of client device, server device, col., 3, lines 44 – 54). However,

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Tsai-Yodlee and Lipscomb-Zapmedia do not specifically mention about the computer being an automotive computer.

Ohlenbusch discloses a well-known concept of using **an automotive computer** (usage of automotive computers, paragraphs 91 and 36).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tsai-Yodlee and Lipscomb-Zapmedia with the teachings of Ohlenbusch in order to facilitate usage of the automotive computer because the automotive computer would provide support for processing data that is sent over the network. The automotive computer would support receiving the data and hence would support the transferring of data over the network.

16. Referring to claim 4, Tsai-Yodlee, Lipscomb-Zapmedia and Ohlenbusch disclose the claimed limitations rejected above under claims 1 and 38. Tsai-Yodlee also discloses **the step of, following step (a), identifying the private information store associated with the user by prompting a user login from the computer** (usage of password and log-in requirement for the user to access her/her data from the PDA col., 6, lines 30 – 43, col., 9, lines 49 – 62, col., 13, lines 37 - 45) **and retrieving login information input by the user** (usage of more than one password and log-in requirement for the user, col., 6, lines 40 – 44).

17. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Tsai-Yodlee in view of Lipscomb-Zapmedia and in further view of Parulski et al., 6,812,961, Eastman Kodak Company (Hereinafter Parulski-Eastman).

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18. Referring to claim 6, Tsai-Yodlee and Lipscomb-Zapmedia disclose the claimed limitations rejected above under claim 1. Tsai-Yodlee also discloses usage of file servers (col., 7, lines 26 – 32). However, Tsai-Yodlee and Lipscomb-Zapmedia do not specifically mention about the directory of digital media files.

Parulski-Eastman discloses a well-known concept of using a **directory of digital media files** (usage of digital files of digital images stored in a directory, col., 2, line 51 – col., 3, line 14 ).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Tsai-Yodlee and Lipscomb-Zapmedia with the teachings of Parulski-Eastman in order to facilitate usage of the directory of digital media files because the directory would provide information regarding the digital media files such as the name of the files that is contained in the directory. The directory would support organizing the media files and the directory information would be used for synchronization among devices over the network.

19. Claims 27-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Arner et al., U. S. Publication 2001/0047393, Marbles Inc., (Hereinafter Arner-Marbles) in view of Tsai-Yodlee.

20. Referring to claim 27, Arner-Marbles discloses a **system** (paragraph 41, page 6, paragraph 110, page 11) **for transferring** (usage of dynamically synchronizing, paragraph 42, page 6, transfer of data, paragraph 15, page 2, exchanging of streaming data with the client, paragraph 292, page 22) **digital media** (digital information, paragraph 48, page 7, graphical

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objects, paragraph 41, page 6, graphical image paragraph 19, page 2) **between a plurality of network coupled devices** (among plurality of servers and client, paragraph 45, page 6, communicating digital information over the network, paragraph 48, page 7), comprising:

**an information store** (usage of file store at a server, paragraph 134, page 13, usage of storage devices at the server, paragraph 102, page 9) **containing digital media** (digital information, paragraph 48, page 7, graphical objects, paragraph 41, page 6, graphical image paragraph 19, page 2) **readable by an application program** (usage of several programs used for communication, paragraph 128, col., 13, programs for client requests, paragraph 134, page 13);

**a data transfer request initiator** (usage of node 182 of figure 5 at the server to exchange messages, paragraph 128, page 13, usage of communication device, paragraph 103, page 9, usage of node 7 of figure 5) **coupled to the information store** (file store of the server, paragraph 134, page 13, storage devices at the server, paragraph 102, page 9, usage of block 170 of figure 1); and

**a device engine** (usage of processor of the server for the transfer of data, paragraph 102, page 9, which is similar to the device engine of lines 10-16 at page 22 of the specification of the application under prosecution) **operatively coupled to the data transfer request initiator** node 182 of figure 5, paragraph 128, page 13, communication device, paragraph 103, page 9, usage of block 170 of figure 1); and

**responsive to the initiator to transfer digital media** (synchronizing data, col., 3, lines 44 – 54, sending of difference information over the network, col., 4, lines 23 – 26) **between the store** (file store of the server, paragraph 134, page 13, storage devices at the server, paragraph 102, page 9) **and one of said plurality of network coupled devices** (client, col., 3, lines 44 –

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54, PDA, paragraph 110, page 11), **the device engine including an application object** (usage of application object, paragraph 123, page 12) **for mapping the digital media** (usage of decipher and encipher for encrypting and decrypting messages, paragraph 131, page 13, usage of logical grouping, paragraph 124, page 12, encoding of information for transmission, paragraph 303, page 22) **into a data format** (absolute or relative format, paragraph 255, page 20, translation of secure protocol messages using local protocol and outgoing protocol, paragraph 128, page 13) **not readable by the application program** (usage of direct communication, usage of stream cipher with a key, paragraph 131, page 13).

However, Arner-Marbles does not specifically mention about the information store being personal information store.

Tsai-Yodlee discloses a concept of using **a personal information store** (data sources for serving data that is held for use specific information including bank account information, securities trading information, e-mail, etc, col., 5, lines 53 – 64, personal information located on a network supported by companies like Yahoo, col., 1, lines 50 – 59, col., 14, lines 16 – 19, individual information, col., 7, lines 34 – 41, usage of repository for individual subscriber, col., 8, lines 3 – 9).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Arner-Marbles with the teachings of Tsai-Yodlee in order to facilitate usage of the personal information store because the personal information store would provide support for storing, retaining and representing information that belong to a specific individual. The represented information for the specific individual would be used for

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synchronization among devices over a network. The synchronized information would be available for the specific individual accessing the device over the network.

21. Referring to claim 28, Arner-Marbles and Tsai-Yodlee disclose the claimed limitations rejected under claim 27. Arner-Marbles also discloses **the information store is provided on a server** (usage of file store at a server, paragraph 134, page 13, usage of storage devices at the server, paragraph 102, page 9).

22. Referring to claim 29, Arner-Marbles and Tsai-Yodlee disclose the claimed limitations rejected under claims 27 and 28. Arner-Marbles also discloses **the server is coupled to the Internet** (usage of Internet as a communications network, paragraph 111, page 12).

23. Referring to claim 30, Arner-Marbles and Tsai-Yodlee disclose the claimed limitations rejected under claims 27 and 28. Arner-Marbles also discloses **the server includes the device engine** (processor of the server for the transfer of data, paragraph 102, page 9, which is similar to the device engine of lines 10-16 at page 22 of the specification of the application under prosecution).

24. Referring to claim 31, Arner-Marbles and Tsai-Yodlee disclose the claimed limitations rejected under claim 27. Arner-Marbles also discloses **the device engine is provided on a server which includes the information store** (processor of the server, paragraph 102, page 9,

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and the file store at the same server, paragraph 134, page 13, usage of storage devices at the same server, paragraph 102, page 9).

25. Referring to claim 32, Arner-Marbles and Tsai-Yodlee disclose the claimed limitations rejected under claims 27 and 31. Arner-Marbles also discloses **the data transfer request initiator is provided on said at least one of said plurality of network-coupled devices** (usage of node 182 of figure 5 at the server to exchange messages, paragraph 128, page 13, usage of communication device, paragraph 103, page 9, usage of node 7 of figure 5) **and comprises code on said one of said plurality of network-coupled devices** (usage of program modules on the device, paragraph 101, page 9) **to operatively engage the device engine to transfer** (processor of the server for the transfer of data, paragraph 102, page 9) **digital media** (digital information, paragraph 48, page 7, graphical objects, paragraph 41, page 6, graphical image paragraph 19, page 2) **between the store and the one of the plurality of network-coupled devices** (dynamically synchronize, paragraph 42, page 6, transfer of data, paragraph 15, page 2, exchanging of streaming data with the client, paragraph 292, page 22).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.



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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Haresh Patel, TC 2100  
Haresh Patel Art Unit 2154

August 20, 2006